

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
JOSEPH PETER SCHMITT, pro se.
Plaintiff,

2006 MAY 10 P 12:27

CIVIL ACTION NO.
~~05-10571-RWZ~~
~~05-10573-RWZ~~
~~05-12580-RWZ~~

-vs-

CARTER THOMAS, et al.,
MA. DEPT. OF CORRECTION, et al.,
MA. DEPT. OF CORRECTION, et al.,
Defendants.

U.S. DISTRICT COURT
DISTRICT OF MASS

PLAINTIFF'S ADDENDUM TO "PLAINTIFF'S EMERGENCY MOTION FOR
COURT ORDER" DATED APRIL 28, 2006.

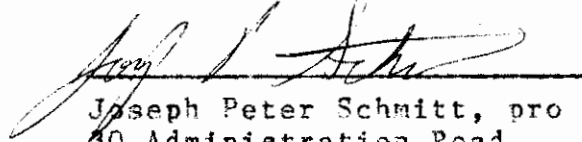
Now comes the Plaintiff and moves to add further documentation to his original emergency motion for court order.

Plaintiff states the following facts under pains and penalties of perjury.

1. On the morning of May 2, 2006 Plaintiff deposited a legal size #10 white envelope pre addressed to "United States District Court, Office of the Clerk, 1 Courthouse Way, Suite 2300, Boston, Massachusetts, 02210." See attached exhibit A.
2. During the 4PM mail call on May 3, 2006 Plaintiff received the above described item of mail back.
3. Attached to the above item of mail was the Bridgewater Complex Charge Slip Plaintiff originally attached to the item of legal mail for postage due. Also attached was a small stick em note stating, " Per CPO Marrow Return to sender Needs Stamp. Mail Room PC." See attached exhibits "B" and "C".
4. Plaintiff has reviewed all relevant CMR Policies and he is unable to find anything that would benefit the defendants in their continuous actions to deprive my unhindered access tot he courts and or defendants of legal action filed in this court and the state courts.
5. PLaintiff is being repeatedly violated by the defendants and any and all attempsts to resolve it within the administrative levels has been fruitless. The defendants act with no regard towards this pro se plaintiff, and leaves his no option but seek a court order.

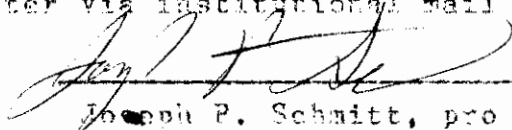
WHEREFORE, Plaintiff prays this Honorable Court Issue an emergency **order** instructing the DEpartment of Correction to process PLaintiff legal mail without delay, whether he uses a charge slip for postage or a US Postal Stamp.

Signed and dated under pains and penalties of perjury this 4th day of May 2006


Joseph Peter Schmitt, pro se
30 Administration Road
Bridgewater, Massachusetts
02324-3230

CERTIFICATE OF SERVICE

I Joseph P. Schmitt hereby certify that a true copy of the above was served to the Department of Correction legal department at the Bridgewater Treatment Center via institutional mail on or about May 5, 2006.


Joseph P. Schmitt, pro se

~~EXHIBIT 100A~~

Joseph P. Schmitt
30 Administration Road
Bridgewater, Massachusetts
02324-3230

United States District Court
Office of the Clerk
1 Courthouse Way, Suite 2300
Boston, Massachusetts
02210

This correspondence is forwarded from a
Massachusetts Correctional Institution. The contents
may not have been evaluated and the Department of
Correction is not responsible for the substance or
content of the enclosed material. If you have received
unwanted correspondence from this inmate call
1-866-684-2846 to stop future correspondence.

EXHIBIT "B"

BRIDGEWATER COMPLEX CHARGE SLIP

CIRCLE ONE: MTC OCCC

DATE: 5-2-06

CHARGE \$.39 TO THE ACCOUNT OF

INMATE NAME Joseph P. Schmitt

COMM # M-81137

PAYABLE TO: US Postal Service

FOR: legit mail to USDC re 05-11348-NG
motion for reconsideration do to clerical error
05-11603-NG

INMATES SIGNATURE: [Signature]

APPROVED BY: _____

CK # _____ DATE PAID _____

Per CPO Marrow
Return to sender
Needs stamp.

Mail Room

(PC)